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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

DEC 9 1996

96-213

Federal Communications Commission  
Office of Secretary

In the Matter of )  
 )  
Amendment of Section 73.202 )  
FM Table of Assignments )  
(Tullahoma and Petersburg, )  
Tennessee) )

MM Docket No. 96-123  
RM-8875

To: Chief, Allocations Branch

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COUNTERPROPOSAL

Petersburg Broadcasting by its undersigned counsel, pursuant to Section 1.415 of the Commission's Rules, herewith submits its Counterproposal in response to the Commission's Notice of Proposed Rulemaking (DA 96-1697), released October 18, 1996, respectfully requesting the Commission to allot FM Channel 296A to Petersburg, Tennessee, in lieu of Tullahoma, Tennessee, thereby amending Section 73.202 of the Commission's Rules, FM Table of Allotments, as follows:

| City                  | Channel No. |
|-----------------------|-------------|
| Petersburg, Tennessee | 296A        |

In support whereof the following is shown:

1. As reflected in the attached technical exhibits, prepared by William J. Pennington, III., the requested allotment of FM Channel 296A at Petersburg, Tennessee, can be made in full

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compliance with all applicable minimum mileage separation and other technical requirements under the Commission's Rules, including city coverage requirements, utilizing a site restriction of 13 kilometers east of Petersburg. Further, the requested allotment can be made without requiring any changes or substitutions in the FM Table of Allotments and without conflict to any other known proposed rulemaking.

2. The allotment of Channel 296A at Petersburg, Tennessee, will provide that community with its first local service. According to the 1990 Census, Petersburg, Tennessee, had a population of 514. In addition to being listed in the Census, Petersburg, Tennessee, is incorporated, has a Mayor/Board of Aldermen form of government, a U.S. Post Office and its own zip code (37144). Petersburg also provides essential services to its citizens through its own police department, volunteer fire department and water system. In addition Petersburg has a number of businesses located in or otherwise identified with Petersburg, as well as churches and civic organizations. Therefore, based upon its incorporated status and the other attributes of community identity set forth above, it may be concluded that Petersburg, Tennessee, is a substantial community, currently without local AM or FM transmission service, which would receive its first service, were the proposal advanced herein to be adopted by the Commission.

3. Although the allotment of Channel 296A to Petersburg, Tennessee, is technically incompatible with the allotment of the

same Channel to Tullahoma, Tennessee, as proposed in the Notice of Proposed Rulemaking (DA 96-1697), the requested allotment of Channel 296A to Petersburg, Tennessee, is entitled to be accorded higher priority under the Commission's established allotment criteria. In that regard, as noted above, the allotment of Channel 296A to Petersburg would provide that community with its first local service. By contrast, as reflected at paragraph 1 of the Notice of Proposed Rulemaking (DA 96-1697), the allotment of Channel 296A to Tullahoma, Tennessee, would result in the provision of a second FM service to that community. Furthermore, inasmuch as WDFZ(AM) (740 kHz) is also licensed to Tullahoma, the proposed allotment of Channel 296A to Tullahoma would provide that community with its third local transmission service. It is well established that the provision of a first local service is entitled to higher allotment priority than the provision of a third local service. <sup>1</sup>/ Accordingly, inasmuch as Channel 296A cannot be allotted to both Tullahoma and Petersburg, the proposal advanced herein to assign Channel 296A to Petersburg, Tennessee, must be given priority and adopted, pursuant to the Commission's well established allotment priorities.

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1. The allotment priorities are: (1) first fulltime aural service, (2) second fulltime aural service, (3) first local service, and (4) other public interest matters. Co-equal weight is given to priorities (2) and (3). Revision of FM Assignment Policies and Procedures, 90 FCC2d 88 (1982).

4. Upon issuance of an order, implementing the requested allotment of Channel 296A to Petersburg, Tennessee, Petersburg Broadcasting will promptly prepare and file the necessary application for construction permit with the Commission and, having obtained authorization to do so, will promptly construct the facilities requested.

5. Therefore, inasmuch as the proposed allotment would allow for provision of first local service to Petersburg, Tennessee, and can be implemented in compliance with Commission Rules, Petersburg Broadcasting urges the Commission to allot FM Channel 296A to Petersburg, Tennessee, in lieu of Tullahoma, Tennessee, as proposed in the Notice of Proposed Rulemaking (DA 96-1697).

WHEREFORE, for the foregoing reasons, the Commission should amend Section 73.202 of its Rules by allotting FM Channel 296A to Petersburg, Tennessee.

Respectfully Submitted,

Petersburg BROADCASTING

By: 

Timothy K. Brady  
Its Attorney

P.O. Box 986  
Brentwood, TN 37027-0986  
(615) 371-9367

December 9, 1996

**TECHNICAL REPORT AND EXHIBITS**  
**PETERSBURG BROADCASTING**  
**COUNTERPROPOSAL IN MM DOCKET NO. 96-123**  
**SEEKING ALLOTMENT OF FM CHANNEL 296A**  
**PETERSBURG, TENNESSEE**

**PREPARED NOVEMBER 1996**

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**CERTIFICATION**

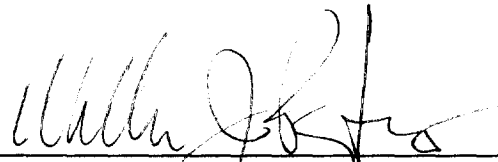
I, William J. Pennington, III, do hereby certify:

That my qualifications in telecommunications matters are of record before the Federal Communications Commission having been presented and accepted on many occasions in the past; and

That I am a consultant on technical topics pertaining to the broadcast industry and the associated RF transmission systems; and

That I have been retained by Petersburg Broadcasting to perform certain technical studies and prepare this report of same; and

That the accompanying technical report and exhibits were prepared by me personally or under my immediate supervision and that all information presented therein is true and correct to my knowledge and belief.



William J. Pennington, III

(Date) 12/6/96

### ENGINEERING STATEMENT

This report and accompanying technical exhibits are part of the counterproposal of Petersburg Broadcasting in MM Docket No. 96-123. The Commission's Notice of Proposed Rule Making in this proceeding sought comments to the proposed allotment of FM Channel 296A (107.1 MHz.) to Tullahoma, Tennessee as that community's second local FM service. This counterproposal seeks the allotment of FM Channel 296A to Petersburg, Tennessee as that community's first local broadcast service.

Petersburg, Tennessee is an incorporated community with a 1990 population 514 persons.

Exhibit E-1 is a channel spacing study which shows that FM Channel 296A may be allotted to Petersburg in compliance with the Commission's minimum distance separation requirements with a site restriction of 13 kilometers east of the community in order to avoid a shorts spacing conflict with the construction permit site of Station WQLT(FM), Channel 297C1 at Florence, Alabama.

Exhibit E-2 is a portion of the Atlanta Sectional Aeronautical Chart which shows the area to locate the allocation of FM Channel 296A to Petersburg.

Exhibit E-3 is a computer generated map, utilizing the method of determining distance to service contours as outlined in Section 73.313 of the Commission's Rules, which shows the projected 70 dBu service contour for a station operating from the proposed allotment coordinates with maximum Class A facilities on FM Channel 296 at Petersburg. It is clear that the complete community of Petersburg



would receive 70 dBu service in compliance with Section 73.315(a) of the Commission's Rules.

Exhibit E-4 provides the distance to the projected 70 dBu service contour along all azimuths from the proposed allotment coordinates.

From the allotment coordinates as well as the surrounding area a new station operating with maximum Class A facilities would provide line of sight coverage to the community of Petersburg.

There is ample space within the area to locate an antenna site to construct a tower for the facility that would provide the requisite coverage to the community of license.

It is believed that the allotment of Channel 296A to Petersburg, Tennessee will be in accordance with the technical requirements of the Commission's Rules governing the allocation of FM channels.

CHANNEL SPACING STUDY

## REFERENCE

35 20 0 N  
86 30 0 W

CLASS A

## DISPLAY

SEARCH DATE  
12-06-96

----- CHANNEL 296 -107.1 MHz -----

| CALL   | CH#   | CITY         | STATE | BEAR' | D-KM   | R-KM  | MARGIN   |
|--------|-------|--------------|-------|-------|--------|-------|----------|
| WQLT   | 297C  | Florence     | AL    | 236.6 | 132.94 | 165.0 | -32.06 * |
| WQLT.C | 297C1 | Florence     | AL    | 236.6 | 132.94 | 133.0 | -0.06 *  |
| WBLG   | 296C2 | Smiths Grove | KY    | 7.4   | 168.92 | 166.0 | 2.92 <   |
| WSKZ   | 293C  | Chattanooga  | TN    | 100.0 | 109.22 | 95.0  | 14.22    |
| WTSHEM | 296C2 | Rockmart     | GA    | 130.9 | 183.45 | 166.0 | 17.45    |
| WWEE   | 297A  | Spencer      | TN    | 67.5  | 96.08  | 72.0  | 24.08    |
| WRVW   | 298C1 | Lebanon      | TN    | 345.6 | 106.61 | 75.0  | 31.61    |
| WKXDFM | 295C2 | Monterey     | TN    | 52.4  | 143.20 | 106.0 | 37.20    |
| WODL   | 295C  | Birmingham   | AL    | 187.7 | 206.47 | 165.0 | 41.47    |
| ALOPEN | 294A  | Lawrenceburg | TN    | 263.4 | 73.86  | 31.0  | 42.86    |
| WDXEFM | 294A  | Lawrenceburg | TN    | 263.4 | 73.86  | 31.0  | 42.86    |
| WRMX   | 242C1 | Murfreesboro | TN    | 3.8   | 83.61  | 22.0  | 61.61    |
| WAOF.C | 294A  | Mount Juliet | TN    | 350.7 | 94.63  | 31.0  | 63.63    |

**ATLANTA**  
**SECTIONAL AERONAUTICAL CHART**  
**SCALE 1:500,000**

**EXHIBIT E-2**  
**AREA TO LOCATE ANTENNA SITE**

**AREA TO LOCATE ANTENNA SITE**

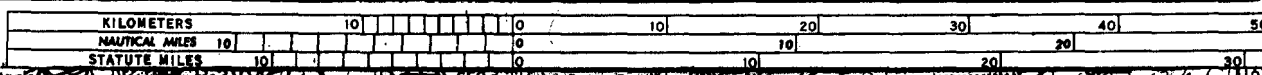
**PETERSBURG CITY LIMITS**

**WBLG (FM)**  
**CHANNEL 296C2**  
**166.0 KM**

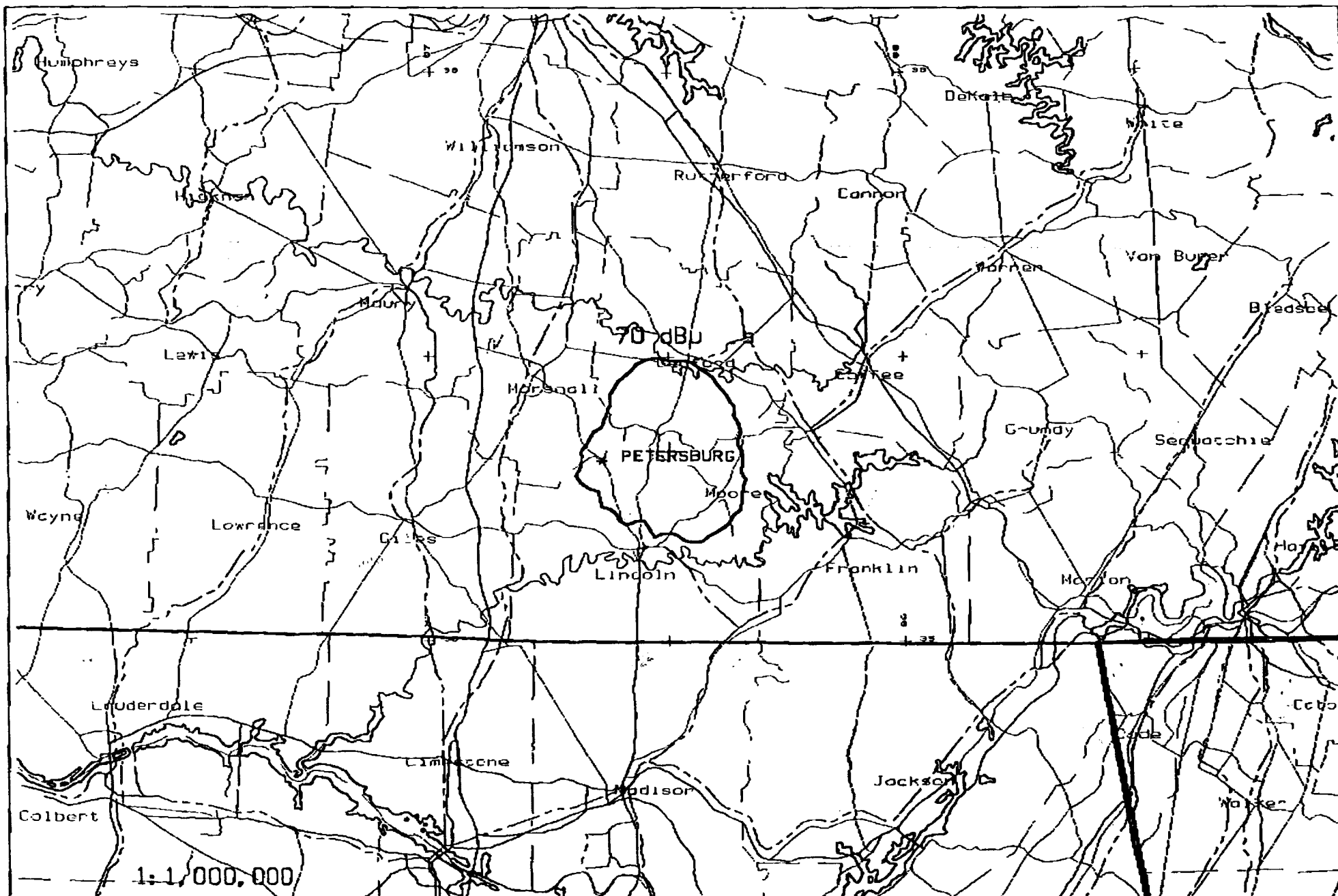
**WOLT (FM)**  
**CHANNEL 297C1**  
**133.0 KM**

**WSKZ (FM)**  
**CHANNEL 293C**  
**95.0 KM**

**WTSH-FM**  
**CHANNEL 296C2**  
**166.0 KM**

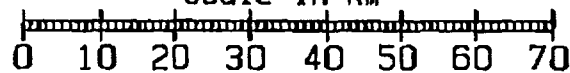


**ARRIVING OVER AIRCRAFT SHOULD**  
**CONTACT APPROACH CONTROL**  
**WITHIN 20 NM ON 125.6 (35.1)**



1:1,000,000

Scale in km



296 6kW 100 METERS HAAT

N. Lat. 35 20 00

W. Lng. 86 30 00

PETERSBURG TN

EXHIBIT E-3

## Predicted Signal Contours:

35 20 00 - PETERSBURG TN  
86 30 00 -

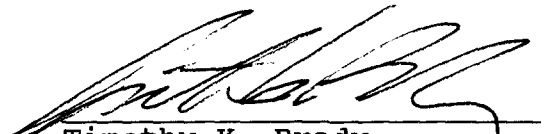
| ERP = 6 kW, 7.782 dBk |        | FM - 2-6 Tables |       |       |          |
|-----------------------|--------|-----------------|-------|-------|----------|
| Radial                | HAAT   | kW              | dBk   | Field | 70 dBu.5 |
| 0 Degr.               | 118.2M | 6.000           | 7.782 | 1.000 | 17.8     |
| 5 Degr.               | 117.5M | 6.000           | 7.782 | 1.000 | 17.7     |
| 10 Degr.              | 122.6M | 6.000           | 7.782 | 1.000 | 18.1     |
| 15 Degr.              | 119.7M | 6.000           | 7.782 | 1.000 | 17.9     |
| 20 Degr.              | 110.8M | 6.000           | 7.782 | 1.000 | 17.2     |
| 25 Degr.              | 108.6M | 6.000           | 7.782 | 1.000 | 17.0     |
| 30 Degr.              | 105.3M | 6.000           | 7.782 | 1.000 | 16.7     |
| 35 Degr.              | 99.4M  | 6.000           | 7.782 | 1.000 | 16.1     |
| 40 Degr.              | 96.1M  | 6.000           | 7.782 | 1.000 | 15.8     |
| 45 Degr.              | 94.9M  | 6.000           | 7.782 | 1.000 | 15.7     |
| 50 Degr.              | 90.4M  | 6.000           | 7.782 | 1.000 | 15.2     |
| 55 Degr.              | 91.8M  | 6.000           | 7.782 | 1.000 | 15.4     |
| 60 Degr.              | 79.6M  | 6.000           | 7.782 | 1.000 | 14.2     |
| 65 Degr.              | 81.2M  | 6.000           | 7.782 | 1.000 | 14.4     |
| 70 Degr.              | 80.7M  | 6.000           | 7.782 | 1.000 | 14.3     |
| 75 Degr.              | 79.5M  | 6.000           | 7.782 | 1.000 | 14.2     |
| 80 Degr.              | 68.8M  | 6.000           | 7.782 | 1.000 | 13.3     |
| 85 Degr.              | 69.2M  | 6.000           | 7.782 | 1.000 | 13.3     |
| 90 Degr.              | 76.1M  | 6.000           | 7.782 | 1.000 | 13.9     |
| 95 Degr.              | 76.6M  | 6.000           | 7.782 | 1.000 | 14.0     |
| 100 Degr.             | 79.1M  | 6.000           | 7.782 | 1.000 | 14.2     |
| 105 Degr.             | 78.8M  | 6.000           | 7.782 | 1.000 | 14.2     |
| 110 Degr.             | 93.1M  | 6.000           | 7.782 | 1.000 | 15.5     |
| 115 Degr.             | 94.5M  | 6.000           | 7.782 | 1.000 | 15.6     |
| 120 Degr.             | 98.3M  | 6.000           | 7.782 | 1.000 | 16.0     |
| 125 Degr.             | 109.1M | 6.000           | 7.782 | 1.000 | 17.0     |
| 130 Degr.             | 116.9M | 6.000           | 7.782 | 1.000 | 17.7     |
| 135 Degr.             | 113.6M | 6.000           | 7.782 | 1.000 | 17.4     |
| 140 Degr.             | 121.4M | 6.000           | 7.782 | 1.000 | 18.0     |
| 145 Degr.             | 122.0M | 6.000           | 7.782 | 1.000 | 18.1     |
| 150 Degr.             | 121.8M | 6.000           | 7.782 | 1.000 | 18.0     |
| 155 Degr.             | 122.3M | 6.000           | 7.782 | 1.000 | 18.1     |
| 160 Degr.             | 129.5M | 6.000           | 7.782 | 1.000 | 18.6     |
| 165 Degr.             | 124.8M | 6.000           | 7.782 | 1.000 | 18.3     |
| 170 Degr.             | 115.2M | 6.000           | 7.782 | 1.000 | 17.5     |
| 175 Degr.             | 100.5M | 6.000           | 7.782 | 1.000 | 16.2     |
| 180 Degr.             | 96.3M  | 6.000           | 7.782 | 1.000 | 15.8     |
| 185 Degr.             | 98.4M  | 6.000           | 7.782 | 1.000 | 16.0     |
| 190 Degr.             | 107.2M | 6.000           | 7.782 | 1.000 | 16.8     |
| 195 Degr.             | 90.9M  | 6.000           | 7.782 | 1.000 | 15.3     |
| 200 Degr.             | 80.1M  | 6.000           | 7.782 | 1.000 | 14.3     |
| 205 Degr.             | 86.2M  | 6.000           | 7.782 | 1.000 | 14.8     |
| 210 Degr.             | 101.1M | 6.000           | 7.782 | 1.000 | 16.3     |
| 215 Degr.             | 101.5M | 6.000           | 7.782 | 1.000 | 16.3     |
| 220 Degr.             | 95.6M  | 6.000           | 7.782 | 1.000 | 15.7     |
| 225 Degr.             | 95.5M  | 6.000           | 7.782 | 1.000 | 15.7     |
| 230 Degr.             | 105.3M | 6.000           | 7.782 | 1.000 | 16.7     |
| 235 Degr.             | 98.7M  | 6.000           | 7.782 | 1.000 | 16.0     |
| 240 Degr.             | 93.5M  | 6.000           | 7.782 | 1.000 | 15.5     |
| 245 Degr.             | 108.2M | 6.000           | 7.782 | 1.000 | 16.9     |
| 250 Degr.             | 118.7M | 6.000           | 7.782 | 1.000 | 17.8     |
| 255 Degr.             | 124.5M | 6.000           | 7.782 | 1.000 | 18.2     |
| 260 Degr.             | 107.0M | 6.000           | 7.782 | 1.000 | 16.8     |
| 265 Degr.             | 103.9M | 6.000           | 7.782 | 1.000 | 16.5     |
| 270 Degr.             | 104.3M | 6.000           | 7.782 | 1.000 | 16.6     |
| 275 Degr.             | 94.8M  | 6.000           | 7.782 | 1.000 | 15.7     |
| 280 Degr.             | 89.2M  | 6.000           | 7.782 | 1.000 | 15.1     |
| 285 Degr.             | 86.1M  | 6.000           | 7.782 | 1.000 | 14.8     |
| 290 Degr.             | 73.0M  | 6.000           | 7.782 | 1.000 | 13.7     |
| 295 Degr.             | 73.1M  | 6.000           | 7.782 | 1.000 | 13.7     |

|  |        |       |       |       |      |
|--|--------|-------|-------|-------|------|
| 300 Degr.                                | 74.3M  | 6.000 | 7.782 | 1.000 | 13.8 |
| 305 Degr.                                | 78.4M  | 6.000 | 7.782 | 1.000 | 14.1 |
| 310 Degr.                                | 81.7M  | 6.000 | 7.782 | 1.000 | 14.4 |
| 315 Degr.                                | 95.4M  | 6.000 | 7.782 | 1.000 | 15.7 |
| 320 Degr.                                | 100.0M | 6.000 | 7.782 | 1.000 | 16.2 |
| 325 Degr.                                | 105.7M | 6.000 | 7.782 | 1.000 | 16.7 |
| 330 Degr.                                | 109.5M | 6.000 | 7.782 | 1.000 | 17.0 |
| 335 Degr.                                | 113.7M | 6.000 | 7.782 | 1.000 | 17.4 |
| 340 Degr.                                | 123.1M | 6.000 | 7.782 | 1.000 | 18.1 |
| 345 Degr.                                | 127.6M | 6.000 | 7.782 | 1.000 | 18.5 |
| 350 Degr.                                | 127.1M | 6.000 | 7.782 | 1.000 | 18.4 |
| 355 Degr.                                | 124.4M | 6.000 | 7.782 | 1.000 | 18.2 |
| -----                                    |        |       |       |       |      |
| Ave. HAAT= 100.3M, Ant. COR= 380.0M AMSL |        |       |       |       |      |

CERTIFICATE OF SERVICE

I, Timothy K. Brady, hereby certify that I have, this 9th day of December, 1996, served a copy of the foregoing Counterproposal by First Class mail, postage prepaid upon the following:

Joe Brewer, President  
Tri County Broadcasting Company, Inc.  
P.O. Box 398  
Cowan, TN 37318

  
Timothy K. Brady